

- \$301 for 7 independent claims over 3.
- \$27 for 3 total claims over 20.

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A copy of this notice MUST be returned with the reply.

M. NUYEN

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS FOR SORTING PARTICLES

the specification of which was filed on September 16, 2003 as Application No. 10/664587.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at **Lahive & Cockfield, LLP**, 28 State Street, Boston, Massachusetts 02109, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such foreign applications have been filed

☐ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

- ☐ no such U.S. provisional applications have been filed.
- ☒ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/411143	September 16, 2002	<u> x </u> Yes No <u> </u>
60/411058	September 16, 2002	<u> x </u> Yes No <u> </u>
		<u> </u> Yes No <u> </u>

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

- ☐ no such U.S./PCT applications have been filed.
- ☒ such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing
This Application	Continuation-in-part	10/329008	December 23, 2002
10/329008	Continuation-in-part	10/179488	June 24, 2002

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 00959 (listed here):

James E. Cockfield	19,162	Jeanne M. DiGiorgio	41,710	Hathaway P. Russell	46,488
Thomas V. Smurzynski	24,798	Megan E. Williams	43,270	John S. Curran	50,445
Ralph A. Loren	29,325	Jeremiah Lynch	17,425	Lisa M. DiRocco	51,619
Giulio A. DeConti, Jr.	31,503	David J. Rikkers	43,882	Danielle L. Herritt	43,670
Elizabeth A. Hanley	33,505	* Maria Lacotripe Zacharakis, Ph.D.		Cynthia M. Soroos	53,623
Amy E. Mandragouras	36,207	Debra J. Milasincic	46,931	Jonathan M. Sparks, Ph.D.	53,624
Anthony A. Laurentano	38,220	David R. Burns	46,590	Merideth C. Arnold	52,568
Kevin J. Canning	35,470	Sean D. Detweiler	42,482	Peter W. Dini, Ph.D.	52,821
Jane E. Remillard	38,872	Cynthia L. Kanik, Ph.D.	37,320	Andrina Williams Zink	54,539
DeAnn F. Smith	36,683	Theodore R. West	47,202	John D. Lanza	40,060

* Limited Recognition Under 37 C.F.R. § 10.9(b)


all of **Lahive & Cockfield, LLP**, 28 State Street, Boston, Massachusetts 02109, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Elizabeth A. Hanley at **Customer Number 00959**, whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

Please direct telephone calls to: Elizabeth A. Hanley at (617) 227-7400.

Please direct facsimiles to: (617) 742-4214

Full name of sole or first inventor Sebastian Böhm	
Sole or first inventor's signature 	Date <i>Jan. 26, 2004</i>
Residence Inverness, United Kingdom	
Citizenship Germany	
Mailing Address 9 Muirfield Court Inverness IV2 4DP UNITED KINGDOM	

Full name of second inventor, if any John R. Gilbert	
Second inventor's signature	Date
Residence Brookline, Massachusetts	
Citizenship US	
Mailing Address 69 Naples Road Brookline, Massachusetts 02446	

Full name of third inventor, if any Manish Deshpande	
Third inventor's signature	Date
Residence Canton, Massachusetts	
Citizenship US	
Mailing Address 34 Apple Blossom Way Canton, Massachusetts 02021	



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